



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

October 16, 2018

MEMBERS, OCONEE COUNTY COUNCIL
Mr. Paul Cain, District III
Mr. Wayne McCall, District II
Ms. Edda Cammick, Chairwoman, District I
Mr. Julian Davis III, Vice Chair, District IV
Mr. Glenn Hart, Chair Pro Tem, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Interim County Administrator Rick Martin, County Attorney David Root, and Katie D. Smith, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Caitlin Herrington / Daily Journal.

Call to Order:

Ms. Cammick called the meeting to order at 6:15 p.m.

Public Comment Session

Mr. Tony Adams addressed Council regarding the Recreation Review Task Force and Fair Oak Youth Center.

Mr. Jerry Barnett addressed Council regarding recycling and the new Administrator.

County Council Response to Public Comment

Mr. Cain thanked the community for their involvement in the October 6, 2018 Utica area clean-up. He noted that the Oconee County Solid Waste, Oconee County Roads & Bridges, Oconee County Sheriff's Office, City of Seneca, Keep Oconee Beautiful Association, Ann Hope United Methodist Church, and Utica, Inc. all joined together to pick up 7.79 tons of household garbage and furniture that had been discarded. He also thanked Mr. Davis for coming out and helping as well.

Moment of Silence

Ms. Cammick asked for a moment of silence prior the Invocation by the County Chaplain.

Invocation by County Council Chaplain:

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance:

Mr. McCall led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the October 2, 2018 Regular meeting minutes as presented.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the October 8, 2018 Special meeting minutes as presented.

Administrator’s Report & Agenda Summary

Mr. Martin briefly reviewed with Council and for the public’s benefit specifics related to the following matters before Council at this meeting:

- Public Hearing of Ordinance: 2018-31
- Third Reading of Ordinance: 2018-31
- First Reading of Ordinance: 2018-32, 2018-33
- Discussion Regarding Action Items
- Council Committee Reports
- First & Final Resolution: 2018-11 [following Executive Session]

Mr. Root noted the letter from City of Seneca [copy filed with these minutes] is a request by the City of Seneca for Oconee County to consent to a ditch and fill of property that is within the City of Seneca but is within 100 feet of adjacent Oconee County property. He further noted DHEC requires our consent.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to amend the agenda to discuss allowing the County Administrator to consent to a ditch and fill of property that is within the City of Seneca but within 100 feet of adjacent Oconee County property.

Mr. Davis asked if Ordinance 2018-30 will be removed from the agenda to continue revisions.

Mr. Root noted there were two ways to clean up the agenda: [1] make a motion to remove the ordinance from the agenda. He also noted Council cannot take action because it was referred from the Law Enforcement, Public Safety, Health & Welfare Committee to staff to work with the animal control officers at the October 16, 2018 meeting held at 5pm or [2] skip the ordinance.

Mr. Davis made a motion, seconded by Mr. McCall, approved 5 – 0, to remove Ordinance 2018-30 from the agenda.

Public Hearings for the Following Ordinances

Ordinance 2018-31 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE I-85 OVERLAY DISTRICT WITH PARTICULAR REFERENCE

Council’s meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council’s Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council’s agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council’s agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council’s Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council’s rules.

BEING MADE TO CHANGES TO THE FAIRPLAY VILLAGE SUB-DISTRICT AND FAIRPLAY VILLAGE CENTER; AND OTHER MATTERS RELATED THERETO.”

Ms. Cammick opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Ms. Cammick asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Ms. Cammick closed the Public Hearing regarding **Ordinance 2018-31**.

Third Reading of the Following Ordinances

Ordinance 2018-31 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE I-85 OVERLAY DISTRICT WITH PARTICULAR REFERENCE BEING MADE TO CHANGES TO THE FAIRPLAY VILLAGE SUB-DISTRICT AND FAIRPLAY VILLAGE CENTER; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. McCall, approved 5 – 0, to approve **Ordinance 2018-31** on third & final reading.

Second Reading of the Following Ordinances

None at this meeting.

First Reading for the Following Ordinances

Ordinance 2018-32 “AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE, AT THE TIME OF ITS INITIAL DEVELOPMENT, GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND TO INCLUDE CERTAIN PROPERTY NOW OR TO BE OWNED BY A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS “PROJECT PRINT” OR ITS ASSIGNEE, AND ESTABLISHED PURSUANT TO SECTION 4-1-170 *ET SEQ.* OF THE SOUTH CAROLINA CODE OF LAWS 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE ALLOCATION, AND THE DISTRIBUTION OF FEES IN LIEU OF *AD VALOREM* TAX; AND MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Davis, to approve **Ordinance 2018-32** on first reading.

Mr. Cain thanked Pickens County for choosing Oconee County to share the FILOT. He further noted they could have chosen any county in the state but choose Oconee County.

Regarding the previous motion made by Mr. Cain, seconded by Mr. Davis, it was approved 5 – 0, to approve

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

Ordinance 2018-32 on first reading.

Ordinance 2018-33 “AN ORDINANCE AUTHORIZING A FEE-IN-LIEU-OF-TAX ARRANGEMENT ON BEHALF OF A PROJECT ECHO (“COMPANY”) PURSUANT TO AN AMENDED AND RESTATED FEE-IN-LIEU-OF-TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA (“COUNTY”) AND THE COMPANY; AUTHORIZING THE PROVISION OF CREDITS AGAINST FEE IN LIEU OF TAX PAYMENTS; AND OTHER MATTERS RELATING TO THE FOREGOING.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-33** on first reading.

Discussion Regarding Action Items

Request from City of Seneca

Mr. Davis made a motion, seconded by Mr. McCall, approved 5 – 0, to allow the County Administrator to respond to the October 16, 2018 letter from the City of Seneca consenting to the request of the ditch and fill of the property adjacent to the Seneca Rail Park so long as the work is done consistent with State law and DHEC regulations and in a manner that will not damage or harm Oconee County property.

Agenda was amended to add this item

Unfinished Business

None at this meeting.

New Business

None at this meeting.

Council Committee Reports

Mr. McCall read from a prepared statement [copy filed with these minutes] outlining the discussions held at the October 9, 2018 Law Enforcement, Public Safety, Health & Welfare Meeting.

Mr. Hart read from a prepared statement [copy filed with these minutes] outlining the discussions held at the October 9, 2018 Transportation Meeting.

Mr. Hart made a motion, seconded by Mr. McCall, approved 5 – 0, to accept Lakestone Ct [P-4229] into the County road system contingent on receiving full deeded right-of-way, a three year maintenance bond, and payment for road inspection fees per unanimous recommendation by the Transportation Committee on October 9, 2018.

Executive Session:

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] To receive legal advice and discuss a contractual matter regarding the Sewer South Transfer and Operation Agreement with the Oconee Joint Regional Sewer Authority.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

[2] To discuss employment matter, and receive legal advice as necessary, related to hiring of County Administrator.

[3] Discussion regarding an Economic Development matter, Project Aztec.

Council entered Executive Session at 6:41 p.m.

Council returned from Executive Session at 7:52 p.m. on a motion made by Mr. Davis, seconded by Mr. Hart, approved 5 – 0.

Ms. Cammick stated that no action was taken in Executive Session.

[#3] Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to direct staff to continue negotiations as discussed and return to Council.

First & Final Reading for the Following Resolutions

Resolution 2018-11 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL TRANSFER AND OPERATION AGREEMENT BETWEEN OCONEE COUNTY AND THE OCONEE JOINT REGIONAL SEWER AUTHORITY IN RELATION TO THE SEWER SYSTEM EXTENDING BETWEEN THE GOLDEN CORNER COMMERCE PARK AND THE CONERROSS CREEK SEWER TREATMENT PLANT; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Resolution 2018-11** on first & final reading.

Adjourn:

Mr. Davis made a motion, approved unanimously, to adjourn at 7:53 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council